

Memorandum

To: Planning Commission

From: Julianne Thomas, Planner
Alex Score, Biologist

Date: April 20, 2006

Re: Request for Land Use District Map Amendment

MEETING DATE: April 26, 2006

RE NUMBER: 00081660.000100

EXISTING FUTURE LAND USE MAP DESIGNATION: Recreation (R)

PROPOSED FUTURE LAND USE MAP DESIGNATION: Recreation (R)

EXISTING ZONING DESIGNATION: Sparsely Settled (SS)

PROPOSED ZONING DESIGNATION: Park & Refuge (PR)

PROPERTY OWNER: Card Sound Golf Club, Inc.

AGENT: None.

PROPERTY INFORMATION

Key: Key Largo **Mile Marker:** Ocean Reef

Size of Parcel: 741,106.72 S.F. or 17.01 acres; 2.4 acres being changed

Location Detail & Brief Description:

The property is located on Key Largo in Ocean Reef. This property is part of the Card Sound Golf Course with the airport runway to the southeast. The property is legally described as part of Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100.

Existing Use:

A portion of the parcel has a designation SS and is next to the Card Sound Golf Course covered with grass, trees and shrubs. The remainder of the parcel is the golf course, holes 6 and 7.

Existing Habitat:

The property is disturbed with both native and exotic landscaping.

Land Use and Habitat on the 1985 Existing Conditions Aerials:

The 1985 existing conditions aerials classify this disturbed with exotics.

Neighboring Land Uses and Character:

The surrounding properties are a variety of uses. Most of the parcels are contained by the golf course or open space. The airport runway is to the southeast.

ZONING AND LAND USE HISTORY

Pre – 1986 Zoning:

The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.

Considerations during 1986 comprehensive plan process:

During the 1986 revisions to the Monroe County Land Development Regulations and land use designations (Ordinance 33-1986 dated February 28, 1986), the subject property was re-designated as Sparsely Settled (SS) with a FLUM of Recreation (R).

Consideration during the 2010 comprehensive plan Process:

During the ensuing Comprehensive Plan process which culminated in the adoption of the Monroe County Year 2010 Comprehensive Plan in 1996, efforts were made to eliminate inconsistencies between the existing Land Development Regulations and the newly formulated Comprehensive Plan and to apply Future Land Use Map (FLUM) designations that were consistent with the land use district designations. The property was given a FLUM designation of Recreation (R) which was inconsistent with the Sparsely Settled (SS) land use district designation.

Map changes or boundary considerations since 1986:

This section of this parcel was designated SS. The remainder of the parcel is Park and Refuge PR. The entire parcel has a FLUM of Recreation R.

ANALYSIS AND RATIONAL FOR CHANGE (Pursuant to Section 9.5-511 (d) (5) b.)

(i.) Changed projections:

None.

(ii.) Changed assumptions:

None.

(iii.) Data errors:

None.

(iv.) New issues:

Staff became aware that the FLUM was not changed for several areas in Ocean Reef that had land use designation changes in 1996. As part of the research to remove those inconsistencies, Staff discovered that this parcel was zoned SS with a FLUM of R and was being used for PR. Staff would like to remove this inconsistency and allow the current use of the parcel to be allowed to continue.

(v.) Recognition of a need for additional detail or comprehensiveness:

The current zoning of SS does not properly reflect the uses which occupy the parcel nor is it consistent with the FLUM of R. Staff would like to change the land use designation to PR to reflect the current use and make it consistent with the FLUM.

(vi.) Data updates:
None.

IMPACT AND POLICY ANALYSIS

Comparison of development potential for the Current and Proposed Land Uses:

1. Current Land development regulations (LDR's)

The property has a current Land Use designation of Sparsely Settled (SS) which is inconsistent with the Recreation (R) future land use map designation.

Sec. 9.5-209. Purpose of the Sparsely Settled Residential District (SS)

The purpose of the SS district is to establish areas of low-density residential development where the predominant character is native or open space lands.

2. Potential Land Uses with Proposed Map Amendment

Staff is requesting a land use designation change from SS to PR.

Sec. 9.5-224. Purpose of the Park and Refuge District (PR).

The purpose of the PR district is to establish and protect areas as parks, recreational areas and wildlife refuges.

This change will accurately reflect use as well as be consistent with the FLUM.

Compatibility with adjacent land uses and effects on community character:

Density and Intensity

Allocated and Max Net Density Permitted Per Acre

Sparsely Settled			Park & Refuge	
Allocated Density	Open Space		Allocated Density	Open Space
0.5	0.8		0.25	0.9

The maximum non-residential square footage permitted is as follows, the ultimate square footage allowed is dependant on compliance with all Monroe County Code requirements:

Commercial Maximum Floor Area Ratio Permitted

Sparsely Settled			Park & Refuge		
	MFAR	OSR		MFAR	OSR
Beekeeping			Active & Passive Recreational		
*Community Pool					
*Park					
*Public Building	0.20	0.20	Public Buildings	0.20	0.9
*Minor Conditional Use			*Minor Conditional Use		
per §9.5-267			per §9.5-267		

Use Compatibility

This property is adjacent to and includes portions of the golf course. It is suitable for open space and recreation purposes.

Effects on Natural Resources Goal 102

Goal 102 of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands. Future development would be required to comply with all Monroe County Code, State and Federal environmental regulations. The Land use designation change will allow the parcel to be used for recreation and open space services.

Effects on Public Facilities: Objective 101.11

Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities. The proposed Land Use District Map amendments will not affect Objective 101.11.

Local Traffic, Parking, and Traffic Circulation

The subject property is located in Ocean Reef, a gated community with limited access to non-members. Much of the travel within Ocean Reef is conducted using golf carts and staff has no evidence that there will be any local traffic, parking or traffic circulation issues created.

Effects on Public Facilities

ORC provides many of its own services in terms and anticipates no problem continuing to meet the community needs if this amendment is approved and enacted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**

(iv.) New issues

Staff discovered this portion this parcel had a different land use designation which is inconsistent with the FLUM. The land use designation does not reflect either the current or projected use.

(v.) Recognition of a need for additional detail or comprehensiveness:

It is important that the land use designation reflect current and projected use as well as be consistent with the FLUM. Staff is requesting this change in order to meet those goals.

3. The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.

5. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
6. A land use designation of Parks & Refuge (PR) would accurately reflect the current use of the parcel and be consistent with the FLUM category of R.
7. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
8. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
9. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

CONCLUSIONS OF LAW:

1. This map amendment meets criteria (iv) and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed land use designation is appropriate for this property and will allow the owners to make full use of the subject property.

RECOMMENDATION:

Based on the above Findings of Fact and Conclusions of Law, staff and DRC recommends **APPROVAL** to the Planning Commission for the proposed Land Use Designation Map amendment from Sparsely Settled (SS) to Park and Refuge (PR) for RE# 00081660.000100.

FLUM Amendment: RE # 00081660.000100

